

TEWKSBURY BOARD OF HEALTH

Minutes

April 03, 2014

Call of Meeting To Order

MOTION - Ms. Brothers made a motion to call the meeting to order at 7:10 PM. The motion was seconded by Ms. Kinnon and unanimously voted 4-0.

The meeting was held at the Tewksbury Senior Center. Present at the meeting were, Chairman Phillip French, Vice Chairman Charles Roux, Christine Kinnon, Kathleen Brothers, Health Director Lou-Ann Clement and Recording Secretary Dawn Cathcart. Raymond Barry was not present. Also, in attendance were Animal Inspector Pamela Thomas, Sanitarian Brian LaGrasse and Board of Health Secretary Diane Joy.

Aggrieved Public Hearing: Tewksbury Board of Health Regulations for Keeping of Animals, 105 CMR 410.000 Minimum Standards of Fitness for Human Habitation, Variance for the Keeping of Animals, Site Assignment – M.G.L. c. 111 § 151 Slaughterhouse, and Site Assignment – M.G.L. c. 111 § 143 Trade of Employment of Noisome attended with Noisome Trade and Injurious Odors (Piggery) Located at 199 Marston Street, Tewksbury, MA, Owner: Dinis Oliveria

Mr. French read an opening statement and then he read the public hearing notice.

MOTION - Ms. Brothers made a motion to open the public hearing. The motion was seconded by Ms. Kinnon and unanimously voted 4-0.

Attorney Peter Gollub, Dinis Oliveria and two unidentified women appeared for the public hearing.

Mr. French stated that there are only four board members present tonight so the applicant has the right to continue the hearing until there is a full board or move forward with only four members realizing that three votes are required for a majority vote and approval.

Attorney Peter Gollub representing Dinis Oliveria stated for the record, the applicant would like to move forward tonight with the hearing.

Mr. French presented the rules of the public hearing. The Board of Health staff will present their case and then the applicant may ask questions. The applicant will present their defense followed by questions by the staff. The Board will ask questions and then it will be opened to the public. The public will have three to five minutes to speak.

Ms. Clement asked if the Board would like to hear each issue separately. Mr. French replied yes, he would like to start with 105 CMR, 410.000 Minimum Standards of Fitness for Human Habitation.

Ms. Clement stated that as an opening, she would like to give a brief history of the site. The farm is located at 199 Marston Street Tewksbury. There are 9.7 Acres with a single family home, barn, and a slaughterhouse (garage). Some important dates are as follows:

- September 6, 1977 this farm was issued Board of Health approval for a piggery with 35 pigs.
- September 22, 1980 the farm was issued Board of Health approval to add 3 to 4 cows.
- May 30, 1998, applied for a building permit for the single-family home.

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- March 23, 1990 the Building Department received a letter regarding the garage and the intention to add a freezer.
- January 2008 Coughlin Environmental Services prepared a report regarding Long Pond and it was determined that surface runoff washed livestock fecal matter into the adjacent wetlands which are stressed.
- September 29, 2009 the applicant applied to connect the single family home and the garage into the Municipal Sewer.
- November 3, 2009 the sewer as built was submitted documenting the garage as a Slaughterhouse.
- May 13, 2013 it was discovered that blood was being discharged into the Municipal Sewer.
- June 6, 2013 DPW received a letter from applicant stating that he is trying to do what needs to be done to comply.
- October 15, 2013, an inspection took place in response to a complaint that the applicant was taking chickens removing their heads in the woods. Inspector Brian LaGrasse found decapitation going on outside the slaughtering facility and stopped the slaughtering.
- November 25, 2013 a letter of non-compliance was issued to the applicant for the following items:
 - M.G.L. c. 111 § 143 Trade or employment attend with noisome and injurious odors; assignment of places; prohibition; appeal
 - M.G.L. c. 111 § 151 Slaughterhouses; regulation; public hearing; application of section
 - Tewksbury Board of Health Regulations for the Keeping of Animals
 - Tewksbury Board of Health Piggery Regulations
 - 105 CMR 410.000 Minimum Standards of Fitness for Human Habitation.
- November 29, 2013 Applicant received non-compliance letter by USPS certified mail return receipt.
- December 14, 2013 applicant submitted a letter requesting a public hearing.
- March 3, 2014 the Board of Health office received the hearing application package missing the certified plot plan due to the winter weather conditions the survey could not be performed.
- March 12, 2014 Board of Health received a memo from the Building Dept regarding Zoning Bylaws, Slaughterhouses are prohibited.
- March 26, 2014 the Board of Health office received the Certified Plot plan; see Exhibit #4.
- March 27, 2014 Board of Health received memo from DPW regarding the Use of Sewers; see Exhibit #5.
- April 2, 2014 received letter from Lowell Regional Waste Water Utility stating the discharge of blood is considered a prohibited discharge into the sewer system.
- April 3, 2014 received lab results stating the unknown liquid from Tewksbury sewer is tested positive for the presence of blood.

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Ms. Clement stated that throughout the years the type and number of animals have changed and the operation has increased to include the slaughterhouse.

Ms. Clement stated that the first issue is the Non Compliance of 105 CMR 410.000 Minimum Standards of Fitness for Human Habitation. There are two recreational campers on site being used as living quarters. These recreation vehicles are considered temporary housing. Exhibit 4, which is the certified plot plan, shows three small rectangles. Two of these are the recreational campers and one is a storage shed. According to 105 CMR, Section 410.430, temporary housing is allowed only with Board of Health permission. All temporary housing shall be subject to the requirements of these minimum standards, and requires written permission by the Board of Health. Ms. Clement stated that her findings are that no request was made for temporary housing. The recreation vehicles do not meet the requirements of Minimum Standards of Fitness for Human Habitation according to Section 410.750: Conditions Deemed to Endanger or Impair Health or Safety due to the questions of water, sewer and square footage. Recreational trailers cannot provide water sufficient in quantity, pressure and temperature both hot and cold water to meet ordinary needs of the occupant a period of 24 hours. Is the sewer discharge connected to a sewerage disposal system, if so how and where? The recreation trailers do not meet the size requirements for bedroom and living space

Attorney Gollub stated that the owner would like to retain his future rights but the two recreational vehicles will not be used for housing. Mr. French stated that if the owner would like to use them in the future, he must put in a request through the Board of Health. Ms. Clement asked if the recreational vehicles will be moved off site. Attorney Gollub stated that the owners have no plans either way. Mr. French stated that if they are not going to be used, the Board would prefer them to be removed. Attorney Gollub asked if there would be a reasonable timeframe given to remove them. Mr. French replied yes, they could work with Ms. Clement but the sooner the better. Attorney Gollub stated that for the record, the position of the Board of Health is that he could work with Ms. Clement on a timeframe to remove the two recreational vehicles. Mr. French replied that was correct, and if there is a problem, the Board will be notified.

MOTION - Ms. Kinnon made a motion, that in regards to the portion of the public hearing Non Compliance of 105 CMR 410.000 Minimum Standards of Fitness for Human Habitation, the two recreational vehicles will be removed from the site with a timeline determined by Ms. Clement and Attorney Gollub for the applicant. The motion was seconded by Ms. Brothers and unanimously voted 4-0.

Ms. Clement stated that the second issue is Non-Compliance of M.G.L. c. 111 § 151 Slaughterhouses; regulation; public hearing; application of section. Ms. Clement stated that the slaughterhouse was first discovered operating in 2005 and documented by the applicant in 2009 through a sewer application. According to the Board of Health files there has not been a public hearing with the Board for approval of this slaughterhouse. Furthermore, the operation of a slaughterhouse has not obtained or received the required written consent from the Board.

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Ms. Clement stated that she has several findings regarding this issue. Ms. Clement stated that Exhibit 2 is a memo from the Building Commissioner to the Chairman of the Board of Health that per the Tewksbury Zoning Bylaw, Section 3105 a slaughterhouse is an expressly prohibited use. There is a letter dated May 16, 2013 from the DPW that there was discharge from this site into the municipal sewer that contained blood. A memo dated May 13, 2013 from the DPW confirmed illegal discharge coming from 199 Marston Street containing blood. There is also a copy of the inter-municipal agreement with the City of Lowell prohibiting blood and animal waste being discharged into the municipal sewer. Exhibit 13 is a letter from Mr. Oliveria dated June 6, 2013 to the DPW understanding the letter issued to him and stating that he is trying to comply with the regulations. This letter was handed out to the Board and applicant. Exhibit 14 is a copy of the application and proposed plan from the applicant dated September 28, 2009 when he applied to tie the house and garage into municipal sewer. The second document in this exhibit is the as-built plans dated November 3, 2009 from the drain layer, which states slaughterhouse not garage. Exhibit 5 is a memo from the DPW Superintendent to the Chairman of the Board of Health stating that they have reviewed the application from Mr. Oliveria and are opposed to the approval of the slaughterhouse due to the violations including discharge of blood into the municipal sewer. The letter further requests that the slaughterhouse/garage be disconnected from municipal sewer and a plan be submitted on how the blood and animal remains are disposed of. The DPW requested this hearing be continued until the DPW investigation has been completed. Exhibit 7 is a letter from the Lowell Regional Waste Water Utility stating that blood and animal parts are specifically prohibited by the City of Lowell. Exhibit 9, which was just received today at about 5:30 PM is a police incident report. This was handed out to the Board and applicant. The Tewksbury Police took samples at 199 Marston Street. These samples were brought to the State Police Forensics Technical Center and the conclusion is the sample test positive for blood. They have not determined what type of blood it is yet. Ms. Clement stated that her findings are that the applicant has never applied for or received a Site Assignment for a slaughterhouse from the Board of Health. The building that is being used as a slaughterhouse was built as a garage in approximately 1989 but we cannot confirm this. The building changed its use from a garage to a slaughterhouse and it was documented by the applicant's drain layer's plans for the proposed sewer connection and the as built plan. The sewer application regarding the slaughterhouse was misleading about this dwelling until after the fact. The applicant goes to an auction purchases various types of livestock brings them to his facility and sells and slaughters the livestock to the public. The public then transports their purchase by their personnel vehicles. There is no form of tracking of these animals from starting point to point of destination. The public is allowed inside of the facility without any foot protection to prevent contamination of fecal matter from the exterior grounds into the slaughtering house. The slaughterhouse is discharging blood directly into the Municipal sewer system. It is my finding that this slaughterhouse is a deterrent to public health.

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Pamela Thomas – Animal Inspector for the Tewksbury Board of Health. Ms. Thomas stated that she has been the Animal Inspector for the Town of Tewksbury for over 20 years. She has gone to school for animal husbandry. She has visited Mr. Oliveria property many times over the years and over time the farm has changed. Ms. Thomas stated that Mr. Oliveria has always allowed her on his property on announced and unannounced visits and has been very cooperative. Ms. Thomas stated that the health and welfare of the animals is her first priority. If there are any issues, Mr. Oliveria takes care of them. He has always done what she asks. One of the problems is there are no guidelines for slaughterhouses. Ms. Thomas stated that this is a custom slaughterhouse as indicated by Exhibit 10. A custom slaughterhouse allows the general public to come in pick the animal, have it slaughtered and then take it home. Ms. Thomas stated that her biggest concern is more with the auction houses where the animals are coming from. The auction houses do not require health papers for the animals and there is no way to trace animals back to the beginning. Ms. Thomas stated that she spoke with Mr. Oliveria today and suggested that the public bring coolers to take their meat home in because she has witnessed people leaving with a bag of meat and putting it in the truck on a hot summer day. Ms. Thomas stated that the public brings their own plastic bags. Ms. Thomas stated that there is a growing need for goat meat.

Ms. Thomas stated that Exhibit 11 includes her inspection report done today. She visited the site with Ms. Clement. On this date there were twenty-one goats and four cows in the barn. There were three sheep, ten pigs and fifty chickens and ducks. There was also a small pony and a horse, which were new. Ms. Thomas reminded Mr. Oliveria that the animals need to have feed and water regardless of how long they are at the farm. Ms. Thomas stated that the number of animals on the permit do not reflect the number of animals on site today but that can be rectified. Ms. Thomas stated that the animals on this farm are turned around fairly quickly.

Brian LaGrasse – Sanitarian for the Town of Tewksbury – Mr. LaGrasse stated that he was called to 199 Marston Street on October 15, 2013. The Police Department called the Board of Health office stating that there was a festival going on and they were decapitating chickens and other issues. The Animal Control Officer, Tim Sullivan was also called. The gravel driveway leading up to 199 Marston Street was full with cars on both sides of the street. There were a lot of people on site. He witnessed chickens being decapitated, animals being slaughtered outside, slaughtered goats hanging in trees, organs on the ground as well as chicken parts and fur being burned off animals. Mr. LaGrasse stated that he spoke with Mr. Oliveria and several other people on site. He then called Ms. Clement to see what was allowed and what was not allowed. She relayed that they had a permit for a slaughterhouse from the State, but not from the Town. Mr. LaGrasse stated that he told Mr. Oliveria that the general public cannot slaughter animals and only employees may do the slaughtering in the slaughterhouse only. He also witnessed water and blood runoff going towards the pond and wetlands out back. A cease and desist order was issued immediately. The Police were called to the site due to the fact that many of people became angry. He was told that they were mad because this was a religious celebration. Mr. LaGrasse stated that he told them that had no bearing on the action; they were just trying to enforce what is allowed and what is not allowed.

Attorney Gollub asked Ms. Thomas how the animals looked today. Ms. Thomas replied that the general health of the animals were good but she would like less mud in the pens and less mud on the cows legs but it has been a wet spring.

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Attorney Gollub stated that he received a number of documents today from Ms. Clement. He has not had time to review them and would object to them being omitted as evidence. Attorney Gollub asked why, for example, the Police were involved with taking samples and how were these samples harvested, what type of blood was found and was the evidence kept properly. He would also object to Exhibit 2 since the Zoning issue is beyond the scope of the Board of Health. He has reviewed the Board of Health minutes of 1977 and there was a similar issue brought up back then, so he would object. Attorney Gollub stated that he would wait to state further comments until all issues are addressed.

Attorney Gollub stated that he has submitted nineteen documents tonight and he would like them to be admitted and marked with an Exhibit number. Ms. Clement stated that they are marked as Exhibit 12.

Attorney Gollub stated that Ms. Thomas brought up the fact that the animals cannot be traced back to the origin. That is a matter above this Board, which needs to be addressed with the USDA.

Mr. Roux stated that he takes issue with the statement that Exhibit 2 is not relative. He understands that the zoning issue is handled by a different office/board but it is relative to this hearing because slaughterhouses are expressly called out as prohibited in the Town of Tewksbury. Mr. Roux also added that we are taking the issues one by one so any comment should be stated now.

Ms. Brothers asked if the applicant received the Police incident report dated March 25, 2014 regarding samples taken. Attorney Gollub stated that a notice was provided by Ms. Clement about ten days ago. Ms. Clement stated that Exhibit 6 is the Police incident report for the Detective who took the samples and was handed to the applicant this evening. Attorney Gollub stated that he doesn't believe he received a copy of that report. Ms. Clement apologized and made him a copy. Ms. Brothers stated that the results of the samples taken are connected to the incident report dated March 25, 2014.

Attorney Gollub stated that there was a fundamental problem to start with. Mr. Oliveria obtained a slaughterhouse permit from the State with the current license being provided to the Board. MGL Chapter 94, Section 120 requires a permit be received from the State but it does not reference MGL Chapter 111. A custom slaughterhouse is exempt from certain USDA inspections so Mr. Oliveria thought he was all set. He now knows that he needs a permit from the Town of Tewksbury also, so he has applied for and is requesting a permit be issued. Attorney Gollub stated that Mr. Oliveria has not received any notices from the Town since 2005-2006 so he thought he was all set. The slaughtering of animals raised on the farm is considered a practice of farming under Chapter 128, Section 1A and Chapter 94, Section 118 which discusses slaughtering. Attorney Gollub stated that Mr. Oliveria does raise pigs and cows on the farm and so some of the slaughtering is a protected use under farming. Attorney Gollub provided the court case of Modern Continental vs. Natick for reference. Attorney Gollub stated that the blood and remains are contained in a covered water tight barrel and is taken to Baker Commodities in Billerica or hauled away. They are also working with the USDA who took samples on the farm. There is a strainer box catch trap system installed. Attorney Gollub stated that Bob Griffin, a licensed drain layer will inspect the systems and either replace or repair it. Attorney Gollub requested that the Board grant permission to Mr. Oliveria to operate a slaughterhouse and if it is non-compliance then provide a reasonable timeframe to come into compliance.

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Ms. Clement stated that a Site Assignment is required for a slaughterhouse regardless of what license or permit the State issues. Ms. Clement stated that we did know about the slaughterhouse, she is not denying that but it was brought to a head by the complaint and having goats hanging from trees, blood in the sewer system and the general public slaughtering the animals. We witnessed blood going into the drainage system today. Ms. Clement spoke with Mr. Griffin and told him he needs to speak with the DPW in regards to any modification to the sewer connection. Ms. Clement stated that she understands that the applicant received several documents tonight but she was away for ten days prior to the hearing and these documents should still be entered as exhibits. Ms. Clement stated that she agreed with some of the comments from Attorney Gollub regarding farming but the slaughterhouse is different. Ms. Clement stated that she would consider addressing the Non-Compliance of Tewksbury Board of Health Regulation for Keeping of Animals and the Site Assignment for the Piggery Regulations together. Ms. Clement also noted that the applicant has provided numerous documents tonight at the beginning of the hearing and they have been entered in as exhibits and the also Board needs time to review them. Ms. Clement stated that over time the number and types of animals have change and the permits issued reflexes the information supplied by the applicant on his annual application.

Attorney Gollub stated that mis-steps have been made but in good faith. The letter dated November 2013 refers to blood. Would the DPW or Board of Health be the point of contact to address this issue? Ms. Clement replied that the DPW handles the sewer but the Board of Health would also have concerns with blood in the sewer and blood and remains around the slaughterhouse. Ms. Clement added that during the inspection today she watched the public going in and out of the slaughterhouse and blood going into the drains. Another of her concerns is what type of training the employees have had.

Mr. Roux stated that we may be putting the cart before the horse. How can we issue a permit for a slaughterhouse when slaughterhouses are not allowed in Tewksbury per the zoning bylaw? This would have to be changed at Town Meeting before we can vote on it. Ms. Clement stated that we do not issue a permit for a slaughterhouse, that the Board approves the issuance of a Site Assignment for the location of the slaughterhouse. Mr. Roux stated that the zoning bylaw says that they are prohibited regardless of what the State does. Attorney Gollub stated that this Board should make an independent determination. Mr. Roux stated that the bylaw would need to be changed first before this should be voted on by this Board.

Mr. French stated that there has been a lot of information provided by both sides. Since all of the items have not been addressed he is questioning if the public should speak. Ms. Kinnon and Ms. Brothers both stated that the residence in attendance should be able to speak.

Dottie Macauley of 71 Washington Street – Ms. Macauley stated that she is in favor of the slaughterhouse. The Board of Health needs to work with Mr. Oliveria and the Animal Inspector has said the animals are fine. The slaughterhouse has been there since 2005 or 2009 and no one has gotten sick. He is running a good business. Ms. Macauley stated that a long time ago there was a slaughterhouse on Trull Road run by the Santos. Ms. Macauley stated that she agrees that blood should not go into the sewer. His record stands for itself.

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Wilfred Mbugua of 119 Old Boston Road – Mr. Mbugua stated that he is in favor of the slaughterhouse. He used to have a permit to keep animals and he killed them at his house but once he found out about Mr. Oliveria he stopped keeping animals and now goes to him. If this is closed, this will hurt people from Africa and Asia living here. This is a clean operation and he is a regular customer. When an animal is killed there is a bucket to catch the blood so very little is on the ground. Mr. Mbugua stated that if an animal is on the farm until Saturday he takes them to auction. Mr. Mbugua asked that the Board let him continued

Lisa Puccia of 45 Cinnamon Circle – Ms. Puccia stated that she has lived at her house since 1999. She did not know there was a farm on Marston Street until she starting smelling burning flesh. In the last few years the smell only occurs about once or twice a week. Her concerns are the smell, how and where the animals are being slaughtered. Her son saw a cow hanging from a tractor in the middle of the field. She is also concerned because there are vehicles and trailers that are going in and out early in the morning and late at night. She is also concerned with how the animal remains are being disposed of. Ms. Puccia stated that she has also seen different types of animals such as alpacas and lamas on site.

Peter Nowak of 26 Cinnamon Circle – Mr. Nowak stated that he has lived at his house for twenty-two years. There has been a substantial increase with the number of people coming and going on this site, all day and night. The odors are less frequent but more severe. In the summer, he has to close his windows but the smell still gets into his house. He was told by someone who visited the farm that Mr. Oliveria purchases bread products to feed the animals and then burns the plastic. This smell is worse than the pig odor. The odor is worse and the noises from the trucks are at all hours.

Trang Phan of 20 Cinnamon Circle – Mr. Phan stated that his house is about 1,500' from the farm. The smell from the farm is stronger than it used to be. They have to close the windows. His concerns include the increase in the number of animals means more manure and is also is concerned with where the blood and waste are going. Mr. Phan stated that there has been increase in flies in the area. He filled two buckets of flies in a short period of time. There should be a balance between residents and this business. Perhaps they cannot clean on weekends.

Lisa Puccia of 45 Cinnamon Circle – Ms. Puccia stated that there is a fence at the end of Cinnamon Circle that contains the animals. It is only chain link fence so perhaps that can be firmed up because the animals can get through. Ms. Clement stated that the Board under a Site Assignment can add restrictions so perhaps Mr. Oliveria would address that.

Al Pacheco of 54 Larchwood Drive, Cambridge, MA – Mr. Pacheco stated that he lives next to Mayflower Poultry and there is an odor. Mr. Pacheco stated that Mr. Oliveria is his brother in law. If anyone has a problem, they should speak with Mr. Oliveria directly. He is a Vietnam Veteran and should be given help.

Mr. French stated that this hearing should be continued until the next meeting on April 17, 2014. This would give both sides time to review the documents that have been submitted.

Ms. Kinnon stated that the issue of blood has to be immediately addressed. This puts the Town in violation of the inter-municipal agreement with the City of Lowell.

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Ms. Brothers agreed and stated that the applicant needs to address this immediately with the DPW. The operation of putting blood into the sewer should cease immediately and she asked if a representative from the DPW could be at the next meeting.

Mr. Roux stated that the applicant could be fined by the Lowell Waste Regional office for having blood in the system.

Attorney Gollub stated that he would like to address a few comments made by residents. The odor and burning smell could be coming from cooking the garbage which has been done for a decade. He does not burn plastic bags. There is dumpster onsite and it is emptied. Attorney Gollub stated that they have taken the Site Plan and added a location of the manure storage. This was not done by a land surveyor, this was just to illustrate where it could be located. The manure was hauled away last week at great expense to Mr. Oliveria. Ms. Clement asked if the NRCS was part of the USDA. Attorney Gollub replied yes, that the NRCS is a division of the USDA and they are working with them also.

Mr. French asked if the applicant was available on April 17, 2014 at 7:00 PM for the continued hearing. Attorney Gollub replied yes.

MOTION - Ms. Brothers made a motion to continue the public hearing for 199 Marston Street until April 17, 2014 at 7:00 PM. The motion was seconded by Ms. Kinnon and unanimously voted 4-0.

Other Business

There was no other business.

MOTION - Mr. Roux made a motion to close the meeting and adjourn at 8:50 PM. The motion was seconded by Ms. Kinnon and unanimously voted 4-0.

Approved On: May 15, 2014

**List of documents for 4/3/14 Agenda
Documents are located in the Board of Health's Office**

Public Hearing:

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| Exhibit #1 | Hearing Application Package received March 3, 2014 |
| Exhibit #2 | Memo from the Building Commissioner to TBOH dated March 12, 2014 |
| Exhibit #3 | Letter to Dinis Oliveria from DPW Superintendent Gilbert received by TBOH on May 16, 2013 |
| Exhibit #4 | Certified Plot Plan dated March 20, 2014 |

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- Exhibit #5 Memo from DPW Superintendent Gilbert to TBOH dated March 27, 2014
- Exhibit #6 Police Incident Report dated March 25, 2014
- Exhibit # 7 Letter to DPW Superintendent Gilbert from Lowell Regional Wastewater Utility dated March 25, 2014
- Exhibit # 8 Long Pond Environmental Status Assessment dated January 2008 cover page and page 19
- Exhibit #9 Criminalists Report dated April 3, 2014 and received April 3, 2014
- Exhibit #10 Animal Inspector Over view report dated April 3, 2014
- Exhibit #11 Animal Inspector Inspection report dated April 3, 2014
- Exhibit #12 Supplement to March 1, 2014 Application of Dinis Oliveira to Tewksbury Board of Health
- Exhibit #13 Letter from Dinis Oliveira to DPW Superintendent Gilbert dated June 6, 2013
- Exhibit # 14 Sewer connections proposed plan dated September 28, 2009 and sewer connection as built plans dated November 3, 2009 both completed and submitted by Bob Griffen